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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/068,590      | 02/05/2002  | Athanassios Diacakis | 010762              | 8299             |

46670 7590 10/24/2005

TOWNSEND AND TOWNSEND AND CREW/22395  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

BAYAT, BRADLEY B

ART UNIT PAPER NUMBER

3621

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                  |                 |  |
|------------------------------|------------------|-----------------|--|
| <b>Office Action Summary</b> | Application No.  | Applicant(s)    |  |
|                              | 10/068,590       | DIACAKIS ET AL. |  |
|                              | Examiner         | Art Unit        |  |
|                              | Bradley B. Bayat | 3621            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/22/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/20/02; 7/25/03</u>   | 6) <input type="checkbox"/> Other: _____                                    |

*ca*

**DETAILED ACTION**

***Election/Restriction***

Applicant's election without traverse of Group I, claims 1-25 in the reply filed on July 26, 2005 is acknowledged. Thus, claims 1-25 are presented for examination on the merits.

***Priority***

Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

***Information Disclosure Statement***

The information disclosure statements (IDS) submitted on December 20, 2002 and July 25, 2003 are in compliance with the provisions of 37 CFR 1.97 and therefore considered by the examiner.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozzie et al. (hereinafter Ozzie), US 6,640,241 B1.**

1. Ozzie discloses a method of displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: for each individual, receiving one or more identity of the individual for each communication network for which the individual is available

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to the subscriber (col. 2, lines 14-30; col. 11, lines 44-53, identity manager); for each individual, generating a single summary indicator that identifies the individual and summarizes whether the individual is capable of receiving certain data content types (col. 5, lines 17-49); and displaying the single summary indicator for each individual to the subscriber (fig 2, display 206 notification as prior art). Ozzie does not explicitly disclose and use applicant's claim language identifying the "address" of the individual. Ozzie discloses various unique endpoints that identify a member, participant, subscriber or the alias created by the member in a communication network. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to utilize any identifier or address of a subscriber in a communication network to dynamically determine the unique identity of a user on a network for any specified activity of purpose, as described by Ozzie (col. 3-4).

2. Ozzie discloses the method of claim 1, wherein generating a single summary indicator includes generating a single summary indicator that identifies whether the individual is capable of receiving various data content types such as telephone communications, text messages, or graphic files (fig 9 and associated text; col. 18, lines 33-58; col. 13, line 9-col. 15, line 16; col. 19, line 52-col. 20, line 47). Ozzie does not explicitly disclose every possible type of data content type such as a video file, an audio file. It would have been obvious to one of ordinary skill in the art to combine the teachings of Ozzie for application with any signal-bearing media regardless of the particular type of signal-bearing media used to actually carry out the distribution.

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3. Ozzie further discloses the method of claim 2, wherein displaying the single summary indicator includes displaying the single summary indicator for each individual via a user interface (col. 7, line 38 – col. 8, line 67).

4. A computer readable medium having stored thereon instructions which, when executed by a processor, cause the processor to: receive, for a plurality of individuals, one or more addresses of each individual for each communication network for which the individual is available to a subscriber the contact information; generate, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving certain data content types; and display the single summary indicator for each individual to the subscriber (see citations to claim 1 above).

5. The computer readable medium of claim 4, having further stored thereon instructions which, when executed by the processor, cause the process to generate a single summary indicator that identifies whether the individual is capable of receiving a data content type selected from a group consisting of a telephone communication, a text message, a video file, an audio file, and a graphics file (see citations to claim 2 above).

6. A device for displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: an indicator module for receiving, for each individual, one or more addresses of the individual for each communication network for which the individual is available to the subscriber and generating, for each individual, a single summary indicator that

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identifies the individual and whether the individual is capable of receiving certain data content types; and a user interface in communication with the indicator module (see citations to claim 1 above).

7. The device of claim 6, wherein the data content types are selected from the group consisting of a telephone communication, a voice communication, a video file, a streaming video file, an audio file, a streaming audio file, a text file, a graphics file, and a streaming graphics file (see citations to claim 2 above).

8. A device for displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: first means for receiving, for each individual, one or more addresses of the individual for each communication network for which the individual is available to the subscriber and generating, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving certain data content types; and second means for displaying the single summary indicator to the subscriber (see citations to claim 1 above).

9. The device of claim 8, wherein the first means is further for generating a single summary indicator that identifies whether the individual is capable of receiving a data content type selected from a group consisting of a telephone communication, a voice communication, a text file, a text message, a video file, a streaming video file, an audio file, a steaming audio file and a graphics file (see citations to claim 2 above).

10. A method of displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: for each individual, receiving one or more addresses of the individual for each communication network for which the individual is available to the subscriber; for each individual, generating a single summary indicator that identifies the individual and summarizes whether the individual is capable of receiving a communication via certain network types; and displaying the single summary indicator for each individual to the subscriber (see citations to claim 1 above).

11. The method of claim 10, wherein generating a single summary indicator includes generating a single summary indicator that identifies whether the individual is capable of receiving a communication via a network type selected from the group consisting of an IM network, a telephone network, a computer network, a SMS network, a VoIP network, a paging network, and a two-way paging network (see citations to claim 2 above).

12. A computer readable medium having stored thereon instructions which, when executed by a processor, cause the processor to: receive, for a plurality of individuals, one or more addresses of each individual for each communication network for which the individual is available to a subscriber the contact information; generate, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving a communication via certain network types; and display the single summary indicator for each individual to the subscriber (see citations to claim 1 above).

13. The computer readable medium of claim 12, having further stored thereon instructions which, when executed by the processor, cause the process to generate a single summary indicator that identifies whether the individual is capable of receiving a communication via a network type selected from a group consisting of an IM network, a telephone network, a computer network, a SMS network, a VoIP network, a paging network, and a two-way paging network (see citations to claim 2 above).

14. A device for displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: an indicator module for receiving, for each individual, one or more addresses of the individual for each communication network for which the individual is available to the subscriber and generating, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving a communication via certain network types; and a user interface in communication with the indicator module (see citations to claim 1 above).

15. The device of claim 14, wherein the network types are selected from the group consisting of an IM network, a telephone network, a computer network, a SMS network, a VoIP network, a paging network, and a two-way paging network (see citations to claim 2 above).

16. A device for displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: first means for receiving, for each individual, one or more



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addresses of the individual for each communication network for which the individual is available to the subscriber and generating, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving a communication via certain network types; and second means for displaying the single summary indicator to the subscriber (see citations to claim 1 above).

17. The device of claim 16, wherein the first means is further for generating a single summary indicator that identifies whether the individual is capable of receiving a communication via a network type selected from a group consisting of an IM network, a telephone network, a computer network, a SMS network, a VoIP network, a paging network, and a two-way paging network (see citations to claim 2 above).

18. A method of displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: for each individual, receiving one or more addresses of the individual for each communication network for which the individual is available to the subscriber; for each individual, generating a single summary indicator that identifies the individual and summarizes whether the individual is capable of receiving a communication via certain device types; and displaying the single summary indicator for each individual to the subscriber (see citations to claim 1 above).

19. The method of claim 18, wherein generating a single summary indicator includes generating a single summary indicator that identifies whether the individual is capable of receiving a

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communication via a device type selected from the group consisting of a wireless telephone, a landline telephone, a PDA, a computer, a SMS phone, a pager, a two-way pager, a wireless PDA, a WAP phone, and a GPRS phone (see citations to claim 2 above).

20. A computer readable medium having stored thereon instructions which, when executed by a processor, cause the processor to: receive, for a plurality of individuals, one or more addresses of each individual for each communication network for which the individual is available to a subscriber the contact information; generate, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving a communication via certain device types; and display the single summary indicator for each individual to the subscriber (see citations to claim 1 above).

21. The computer readable medium of claim 20, having further stored thereon instructions which, when executed by the processor, cause the process to generate a single summary indicator that identifies whether the individual is capable of receiving a communication via a device type selected from a group consisting of a wireless telephone, a landline telephone, a PDA, a computer network, a SMS phone, a pager, a two-way pager, a wireless PDA, a WAP phone, and a GPRS phone (see citations to claim 2 above).

22. A device for displaying contact information of a plurality of individuals for a subscriber of

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the contact information, comprising: an indicator module for receiving, for each individual, one or more addresses of the individual for each communication network for which the individual is available to the subscriber and generating, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving a communication via certain device types; and a user interface in communication with the indicator module (see citations to claim 1 above).

23. The device of claim 22, wherein the device types are selected from the group consisting of a wireless telephone, a landline telephone, a PDA, a computer network, a SMS phone, a pager, a two-way pager, a wireless PDA, a WAP phone, and a GPRS phone (see citations to claim 2 above).

24. A device for displaying contact information of a plurality of individuals for a subscriber of the contact information, comprising: first means for receiving, for each individual, one or more addresses of the individual for each communication network for which the individual is available to the subscriber and generating, for each individual, a single summary indicator that identifies the individual and whether the individual is capable of receiving a communication via certain device types; and second means for displaying the single summary indicator to the subscriber (see citations to claim 1 above).

25. The device of claim 24, wherein the first means is further for generating a single summary indicator that identifies whether the individual is capable of receiving a communication via a

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device type selected from a group consisting of a wireless telephone, a landline telephone, a PDA, a computer network, a SMS phone, a pager, a two-way pager, a wireless PDA, a WAP phone, and a GPRS phone (see citations to claim 2 above).

*Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.*

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US Patent Application Publication 2004/0117443 A1 to Barsness.
- US 6,023,762 to Dean et al.
- US 6,871,224 B1 to Chu et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday - Friday 8 a.m.-6:30 p.m. and by email: [bradley.bayat@uspto.gov](mailto:bradley.bayat@uspto.gov). If attempts to reach the examiner by telephone are unsuccessful, the

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examiner's supervisor, James Trammell can be reached regarding urgent matters at 571-272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or faxed to:

**(571) 273-8300** - Official communications; including After Final responses.

**(571) 273-6704** - Informal/Draft communications to the examiner.

A handwritten signature in black ink, appearing to read "Bradley B. Bayat", with a stylized horizontal line extending from the end.

Bradley B. Bayat, Esq.  
Art Unit 3621  
Examiner